

Minutes of Committee Of Adjustment
November, 12, 2020

Time: 7:00 PM

Location: Council Chambers/Virtual via Zoom

Meeting # 09

Present: Alan Revill, Mike Nolan, Ray Leonard, Norm Roberts, Ken Gee, Randy Ruttan, Mike Howe

Absent With Regrets: Tom Bruce

Staff: Anna Geladi, Planner, Christine Woods, Senior Planner, Michelle Hannah, Planning Assistant, Claire Dodds, Director of Development Services.

1 Electronic Meeting Information

- a) The meeting will be live streamed at the following link:
<http://www.facebook.com/SouthFrontenacTwp/>

Please visit the Virtual Committee of Adjustment Meetings page on the Township website for the link to register to be a participant in this meeting:
<https://www.southfrontenac.net/en/open-for-business/virtual-committee-of-adjustment-meetings.aspx>

Instructions about participating via Computer, Laptop, Smartphone, Tablet and Telephone can be found at the above noted link as well.

- b) During the Committee of Adjustment meeting staff will be following a PowerPoint Presentation, this presentation will be live-streamed on Facebook at the above noted link, but can also be viewed in the attached document.

2 Call to Order

3 Adoption of Agenda

a)

Resolution No. 2020:09:2

Moved by Mike Howe Seconded by Ray Leonard

THAT the Township of South Frontenac Committee of Adjustment hereby adopts the agenda for the November 12, 2020 Committee of Adjustment meeting.

Carried

4 Declaration of pecuniary interest

- a) Committee Member Nolan has declared an interest in Minor Variance Application MV-44-20-S (Sullivan)

5 Approval of Minutes – October 8, 2020

a)

Resolution No. 2020:09:3

Moved by Randy Ruttan Seconded by Norm Roberts

THAT the Township of South Frontenac Committee of Adjustment hereby approves the minutes of the October 8, 2020 meeting of the Committee.

Carried

6 New Consent Applications:

- a) S-08-20-S (Reynolds) (Beach)

Location: Part Lot 9, Concession 9, District of Storrington, Township of South Frontenac, municipally known as 5056 Battersea Road.

Purpose of Application: Consent for the creation of a new residential lot consisting of approximately 0.8 hectares (2 acres) of land from the subject property with road frontage of approximately 52 metres (170 feet) on Battersea Road. The new residential lot will contain the existing dwelling and associated septic system and well on the property. The retained lands will be approximately 12.7 hectares (31.5 acres) with approximately 26.2 metres (86 feet) of frontage on Battersea Road. The retained 12.7 hectare (31.5 acre) parcel is intended to be used to assemble lands for future development purposes. Any future development of the retained parcel would be by way of a plan of subdivision.

The Planner delivered her report to the committee.

K. Gee advised he has no issues with the lot creation and is satisfied that at the time of an application for a Plan of Subdivision the concerns of the neighbours will be addressed.

Mr. Beach, agent for the applicant advised that the proposed development will be numerous years out, but it is a step that the applicant has to take at this point. He advised he has only heard that there is good water in the area, but regardless of this there will be extensive studies and neighbour involvement.

Resolution No. 2020:09:4

Moved by Randy Ruttan Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby approves consent application S-08-20-S by Catherine Reynolds, located at Part Lot 9, Concession 9, District of Storrington, municipally known as 5056 Battersea Road, to create one new residential lot consisting of approximately 0.8 hectares (2 acres) and approximately 58 metres (190 feet) of road frontage on Battersea Road. The retained lands will consist of approximately 12.7 hectares (31.5 acres) and will have approximately 20 metres (66 feet) of road frontage on Battersea Road, subject to conditions.

Carried

7 New Minor Variance Applications:

a) MV-39-20-L (Strickland)

Location: Part of Lot 22 and 23, Concession 12, being Parts 8 – 10 on Plan 13R14860, District of Loughborough, Township of South Frontenac, municipally known as 92B Kismet Lane, Buck Lake.

Purpose of Application: To vary sections 7.3.2 and 5.8.2 a) and b) of the Zoning By-law to permit an accessory building (shed) with a minimum 10 metre (33 foot) front yard setback and setback from the high water mark of Buck Lake, whereas the Zoning By-law requires a 30 metre (98.4 feet) from the high water mark and a to also vary the minimum 15 metre (49.2 feet) horizontal of the top of bank of any embankment.

The Planner delivered her report to the Committee.

Resolution No. 2020:09:5

Moved by Randy Ruttan Seconded by Norm Roberts

THAT the Township of South Frontenac Committee of Adjustment hereby defers making a decision on Minor Variance Application MV-39-20-L by Peter Strickland located at Part of Lot 22 and 23, Concession 12, being Parts 8 – 10 on Plan 13R14860, District of Loughborough, municipally known as 92B Kismet Lane, Buck Lake. To provide additional time for Cataraqui Conservation staff to review the proposal and to provide comments.

Carried

b) MV-40-20-L (Vanderhaar)

Location: Part of Lot 23, Concession 13, District of Loughborough, Township of South Frontenac, 1229 Twin Island Lane, Buck Lake

Purpose of Application: To vary section 10.3.1 of the Zoning By-law to permit a seasonal dwelling with an attached deck and screened porch with a minimum 7.5 metre (24.6 foot) rear yard depth, and to allow a maximum 6.6% lot coverage for the principal building.

The Senior Planner delivered her report to the Committee.

R. Ruttan mentioned that this application was brought to the Committee previously, but asked what the Cataraqui Conservation commented last time the application came forward.

The Senior Planner advised that the previous application included a larger dwelling, and a 9.5% lot coverage, and the comments from the Conservation Authority recommended denial due to the lot coverage.

R. Ruttan ask if in this case the foot print is smaller.

The Senior Planner advised that, yes, this application includes a smaller dwelling.

B. Vanderhaar advised that they were able to reduce the footprint by adding a loft space and the rear yard setback remains the same.

Resolution No. 2020:09:6

Moved by Ray Leonard Seconded by Mike Howe

THAT the Township of South Frontenac Committee of Adjustment hereby defers making a decision on Minor Vairnace MV-40-20-L by Brad & Amanda Vanderhaar, located at Part of Lot 23, Concession 13, District of Loughborough, municipally known as 1229 Twin Island Lane, Buck Lake. To provide additional time for staff to receive comments from Cataraqui Conservation.

Carried

c) MV-41-20-L (McLachlan)

Location: Part of Lots 10 and 11, Concession 6, District of Loughborough, Township of South Frontenac, being Parts 1, 2 and 3 on Plan 13R20492, Kennedy Island, Sydenham Lake.

Purpose of Application: To vary sections 5.8.2 a) and 11.3.1 of the Zoning By-law to permit a seasonal dwelling with a minimum 27 metre (88.6 foot) front yard depth and setback from the high water mark of Sydenham Lake, measured to the western shoreline. Also, to vary section 11.3.1 to permit the same seasonal dwelling with a minimum 19.4 metre (63.6 foot) setback from the floodline of Sydenham Lake, measured to the east.

The Senior Planner delivered her report to the Committee.

Resolution No. 2020:09:7

Moved by Randy Ruttan Seconded by Ken Gee

THAT the Township of South Frontenac Committee of Adjustment hereby defers making a decision on Minor Variance Application MV-41-20-L by Michael McLachlan, located at Part of Lots 10 and 11, Concession 6, District of Loughborough, being Parts 1, 2 and 3 on Plan 13R20492, Kennedy Island, Sydenham Lake. To provide time for staff to receive comments from Cataraqui Conservation.

Carried

d) MV-43-20-L (Headrick)

Location: Part of Lot 10, Concession 8, District of Loughborough, Township of South Frontenac, municipally known as 1023 Leadbeater Lane.

Purpose of Application: To vary sections 5.8.2 a) and 8.3.1 of the Zoning By-law to permit the demolition and re-construction of an existing seasonal dwelling and attached deck with a new addition to the rear of the seasonal dwelling within the 30 metre setback from the high water mark. The re-construction of the seasonal dwelling and deck would be located in the same general footprint as the existing seasonal dwelling, maintain the current setback of 7 metres (23.7 feet) from the cottage and 3 metres (10 feet) from the deck to the high water mark. The applicant is also seeking additional relief from section 8.3.1 with respect to lot coverage for an increase of 1.9 % from the existing lot coverage.

The Planner delivered her report to the Committee.

Resolution No. 2020:09:8

Moved by Norm Roberts Seconded by Randy Ruttan

THAT the Township of South Frontenac Committee of Adjustment hereby defers making a decision on Minor Variance Application MV-43-20-L by David & Lisa Headrick, located at Part of Lot 10, Concession 8, District of Loughborough, municipally known as 1023 Leadbeater Lane. To provide additional time for Cataraqui Conservation staff to review the revised proposal to reconstruct the cottage and to provide updated comments.

Carried

e) MV-44-20-S (Sullivan)

Location: Part of Lot 27 and Part Block A, Plan 544, being Parts 19, 21 and 22 on Plan 13R16884, District of Storrington, Township of South Frontenac, municipally known as 1031 Heron Lane, Loughborough Lake.

Purpose of Application: To vary section 10.3.1, 5.8.2a) and 5.10.2 to permit the increase in height for a legal non-conforming dwelling, to be constructed in conformity with the maximum height allowable in the Limited Services Residential – Waterfront (RLSW) Zone, at the reduced highwater mark setback that currently exists on the limited services residential waterfront lot.

The Planner delivered her report to the Committee.

K. Gee advised that he agrees with the proposal as outlined and it is the best scenario with respect to the lot coverage.

Resolution No. 2020:09:9

Moved by Ken Gee Seconded by Randy Ruttan

THAT the Township of South Frontenac committee of Adjustment hereby approves Minor Variance Application MV-44-20-S by Brandon & Rachel Sullivan located at Part Lot 27, Concession 1, District of Storrington, Part Block A and Lot 27 on Plan 544, being Parts 19, 21 and 22 on Plan 13R16884, municipally known as 1031 Heron Lane, Loughborough Lake. To permit a 61 square metre (656.6 square foot) second storey addition to the existing dwelling with a minimum highwater mark and front yard setback of 24.8 metres (81 feet), and maintaining the existing setback to Heron Lane, as per drawings submitted with the application, subject to conditions.

Carried

8 Other Business

- a) Report to the Committee of Adjustment with respect to Delegated Consent Approvals
- b) Appeal of Committee of Adjustment Decisions - Update

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C. Dodds, Director of Development Services advised the committee that since last Committee meeting, the Township has received three appeals of the decisions of the committee of adjustment, two were on Consent applications that were located on Latimer Road and the additional appeal was for the Fraser Minor Variance where there was a decision by the Committee to approve the application. The decision was appealed by a neighbour. Discussion will be had with Council with respect to proceeding with the appeals, staff have filed all of the required documents with LPAT and staff will provide updates as we have more information.

9 Adjournment

a) Resolution

Resolution No. 2020:09:10

Moved by Norm Roberts Seconded by Randy Ruttan

THAT the November 12, 2020 meeting of the Township of South Frontenac Committee of Adjustment is hereby adjourned at 7:52p.m., to reconvene on Thursday, December 10, 2020 at 7:00 p.m. or at the call of the Chair.

Carried

Alan Revill, Chair